

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LG PHILIPS LCD CO., LTD.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 04-343 JJF
)	
TATUNG CO., TATUNG COMPANY)	
OF AMERICA, INC., and VIEWSONIC)	
CORPORATION,)	
)	
Defendants.)	

**REDACTED
CONFIDENTIAL DECLARATION OF ROBERT C. WEEMS**

Jeffrey S. Goddess (Del. Bar No. 630)
Rosenthal, Monhait, Gross
& Goddess, P.A.
919 Market Street, Suite 1401
P. O. Box 1070
Wilmington, DE 19899-1070
Tel: (302) 656-4433
Fax: (302) 658-7567
jgoddess@rmgglaw.com

OF COUNSEL:

Julian M. Baum
Robert C. Weems
BAUM & WEEMS
58 Katrina Lane
San Anselmo, CA 94960
Tel: (415) 460-1791
Fax: (415) 457-9157

September 12, 2005

I, Robert C. Weems, declare:

Attached hereto as Exhibit 1 are true and correct copies of the Fed.R.Civ.P. 30(b) Notice to Tatung Company of America and cited portions of the Deposition Transcript.

I declare the foregoing to be true and correct under penalty of perjury under the laws of the United States. Executed September 6, 2005, at San Anselmo, California.

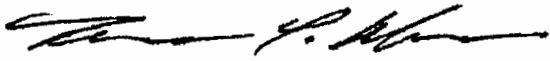


EXHIBIT 1

ORIGINAL

HIGHLY
CONFIDENTIAL

1 IN THE UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF DELAWARE

3
4
5 L.G. PHILIPS LCD CO., LTD.,)

6 Plaintiff,)

7 v.)

Civil Action No.

8 TATUNG COMPANY, et al.,)

) 04-343 (JJF)

9 Defendants.)

10
11 (HIGHLY SENSITIVE CONFIDENTIAL)

12
13 DEPOSITION OF ANDREW SUN

14 Long Beach, California

15 Wednesday, February 9, 2005

16
17
18
19
20
21
22 Reported by:
23 Lori Anastasiou, CSR No. 4345



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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF DELAWARE
3
4

5 L.G. PHILIPS LCD CO., LTD.,)
6)
7 Plaintiff,)
8 v.) Civil Action No.
9 TATUNG COMPANY, et al.,) 04-343 (JJF)
10 Defendants.)
11

12 The deposition of Andrew Sun, taken on behalf
13 Plaintiff, at Tatung Company of America, Inc.,
14 2850 El Presidio Street, Long Beach, California
15 90810, commencing at 9:03 a.m., on Wednesday,
16 February 9, 2005, before Lori Anastasiou, CSR No.
17 4345, pursuant to Notice.
18
19
20
21
22
23
24
25

1 A P P E A R A N C E S

2

3 For Plaintiff:

4 MCKENNA LONG & ALDRIDGE LLP

5 BY: CASS W. CHRISTENSON

6 Attorney at Law

7 1900 K Street N.W.

8 Washington, D.C. 20006

9 (202) 496-7500

10

11

12 For Defendants:

13 BAUM & WEEMS

14 BY: JULIAN M. BAUM

15 -and-

16 ROBERT C. WEEMS

17 Attorneys at Law

18 9 Tenaya Lane

19 Novato, California 94947

20 (415) 892-3152

21

22

23

24

25

1 Q V
2
3 A
4 Q
09:18 5 A I
6 Q e
7
8 A
9 Q
09:18 10 A
11 Q I'm sorry, what did you say?
12 A L.
13 Q Can you be more specific?
14
09:18 15 A
16 Q Anywhere else?
17 A Not that I know of.
18 Q How many employees does
19
09:18 20 A To my knowledge,
21 Q
22 A
23
24 Q And specifically which OEM customers?
09:19 25 A

1 Q Can you tell me which OEM customers?
2 MR. WEEMS: Objection. Asked and answered.
3 THE DEPONENT:
4
09:19 5 BY MR. CHRISTENSON:
6 Q Do you know which OEM customers?
7 A No.
8 Q
9 A Again,
09:19 10 Q And what do
11 A
12 Q Which
13 A
14 Q Does
09:20 15 A
16 Q
17
18 A No.
19 Q As President of Tatung America do you ever
09:20 20 c
21 A
22 Q As President of Tatung America do you ever
23
24
09:20 25 A

1 Q Where does Tatung America have operations in the
2 United States?

3 A Here in Long Beach.

4 Q Anywhere else?

09:21 5 A Rancho Dominguez is a facility of ours.

6 Q What is the Rancho Dominguez facility called? Or
7 what type of facility does Tatung America have in Rancho
8 Dominguez?

9 MR. WEEMS: Objection. Vague.

09:21 10 BY MR. CHRISTENSON:

11 Q You can answer.

12 A It's called -- we call it C plant.

13 Q The letter C and then the word plant?

14 A Right.

09:21 15 Q Is that a

16 A :

17 Q What type of :

18 A It is a :

19 Q What :

09:22 20 a

21 A I

22 Q I

23 A

24 Q I

09:22 25

1 Q What would be the approximate dollar value of
2
3 A About \$
4 Q About \$
10:07 5 A
6 Q
7 A
8 Q What about with respect to
9 a
10:07 10
11 A It would be pretty much \$
12
13 Q Would the value of those
14
10:07 15 A
16 Q In 2004 were all of the
17
18 A
19 Q Approximately what percentage in 2004
10:08 20
21 A
22
23 Q
24 MR. WEEMS: Objection. Asked and answered.
10:08 25 THE DEPONENT:

1
2 BY MR. CHRISTENSON:
3 Q Which
4
10:09 5 MR. WEEMS: Objection. Misstates the prior
6 testimony.
7 BY MR. CHRISTENSON:
8 Q Did Tatung America c
9
10:09 10 A Well, maybe to be more specific,
11
12
13
14 Q Mr. Sun, do you agree that
15
10:09 16 A It i
17 Q And specifically for
18
19 Right?
10:10 20 MR. WEEMS: Objection. Argumentative.
21 BY MR. CHRISTENSON:
22 Q You can answer.
23 MR. WEEMS: And calls for speculation.
24 THE DEPONENT: Those
10:10 25

1
2 Is that right?
3 A Yeah, that's not our decision.
4 Q Where are the
10:13 5
6 A
7 Q Anywhere else?
8 A
9 Q
10:14 10 A
11 Q What about
12
13
14 A I don't know.
10:14 15 Q Where are the
16
17
18 A
19 Q Where are the
10:14 20
21
22 A
23 Q Where are the
24
10:14 25

1 A
2 Q Where are the
3
4

10:15 5 A

6 Q If you wanted to find out where
7
8
9

10:15 10

11 MR. WEEMS: Objection. Argumentative. The
12 witness has already testified t
13

14 MR. CHRISTENSON: I object to speaking objections
10:15 15 that coach the witness. That's improper. The record will
16 reflect whatever the testimony was. And there's a
17 question pending.

18 THE DEPONENT: Could you repeat that?

19 MR. CHRISTENSON: Sure.

10:15 20 Could you please read it back?

21 (The reporter read back the question
22 as follows:
23
24 t
25

1 BY MR. CHRISTENSON:

2 Q Can you give me the number?

3 A No.

4 Q So going back to my prior question, Mr. Sun, do

12:00 5 the documents in the exhibit marked !

6

7 ?

8 MR. WEEMS: I'll just renew the objection.

9 THE DEPONENT: All right. So the question --

12:02 10 rephrase the question for me. Or no, don't rephrase.

11 Repeat it.

12 MR. CHRISTENSON: Please read it back.

13 (The reporter read back the question

14 as follows:

15 "Q :

16

17

18

19

12:02 20 THE DEPONENT: I think it shows .

21

22 BY MR. CHRISTENSON:

23 Q Mr. Sun, did you understand the question?

24 A Yes.

12:03 25 Q What's the answer to the question?

1 MR. WEEMS: Counsel, stop arguing with the
2 witness. You've asked him about a document that you
3 produced and what it purports to be.

4 MR. CHRISTENSON: I'm asking -- I'm sorry, go
12:03 5 ahead.

6 I'm asking about a document that consists of what
7 we received in document production from Tatung America.

8 MR. WEEMS: And that was produced to you pursuant
9 to Mr. Goddess' representation that you had received what
12:03 10 was the basis of the declarations, so...

11 MR. CHRISTENSON: It's not a hard question.

12 Q Did you understand the question, Mr. Sun?

13 A Yeah, I understand. I just want to -- you know,
14 this document was prepared as a response and, you know, to
12:04 15 my knowledge it has a lot of I

16

17

18

19

12:04 20 Q Mr. Sun, in exhibit

21

22 MR. WEEMS: Objection. The document speaks for
23 itself.

24 BY MR. CHRISTENSON:

12:05 25 Q Are you testifying that : --

1
2 Q But she does :
3 A
4 Q In her role in : to
12:23 5 , has she ever traveled to
6 Delaware?
7 A I don't know.
8 Q Does she :
9 A Yes.
12:23 10 Q Would that include :
11
12 A Yes.
13 Q Who at Tatung America has the primary
14 responsibility for :
12:24 15 A
16 Q Mr. Sun, does T
17
18 A
19 (Mr. Weems is now back in the deposition room.)
12:25 20 Q What type of operation does '
21
22 MR. WEEMS: Objection. Calls for speculation.
23 THE DEPONENT:
24 BY MR. CHRISTENSON:
12:25 25 Q

1 THE DEPONENT:

2 that we talked about earlier.

3 BY MR. CHRISTENSON:

4 Q And does that p

12:32

5

6 MR. WEEMS: Objection. Asked and answered and
7 you're arguing with the witness.

8 BY MR. CHRISTENSON:

9 Q You can answer.

12:32

10

MR. WEEMS: Or he can stand on his answer. So...

11

THE DEPONENT: What I can tell you is that

12

13

14

12:33

15

BY MR. CHRISTENSON:

16

Q At the beginning of the deposition today,

17

Mr. Sun, I had asked you

18

19

Do you recall that?

12:33

20

A Yes.

21

Q And my understanding at that time was

22

23

24

12:33

25

1 MR. WEEMS: Objection. Could we have the
2 question read back?

3 MR. CHRISTENSON: Well, actually that wasn't a
4 question. I was leading up to a question.

12:33 5 Q But the question is,

6

7

8 MR. WEEMS: Now let's have the full question read
9 back with its pre-preamble.

10 The reporter read back the record
11 as follows:

12

13

14

15 Do you recall that?

16 A Yes.

17 Q And my understanding at that time was

18

19

20

21

22

23 But the question is, ,

24

25

1 MR. WEEMS: And I object to the extent it
2 mischaracterizes prior testimony. I'm going to object
3 that the prior record speaks for itself. I'm going to
4 object that the question is unintelligible and confused.

12:34 5 And subject to that, you can answer, if you can.

6 THE DEPONENT: Other than

7

8

9 MR. CHRISTENSON: Let's go off the record.

10 (There was a discussion between counsel
11 and the deponent, which was not reported.)

12

13 (At 12:35 p.m. a lunch recess was taken.)

14

15

16

17

18

19

20

21

22

23

24

25

1 (At 1:30 p.m. the proceedings resumed as
2 follows with the same parties present as
3 heretofore:)

4

5 *EXAMINATION (RESUMED)

6 BY MR. CHRISTENSON:

7 Q Let's go back on the record.

8 Mr. Sun, earlier today you mentioned t

9

01:30

10

11

12

13

14

01:31

15

16 Let me try that one more time. I believe you

17 testified that

18 L

19 Is that right?

01:31

20

A

21

Q

22

23 MR. WEEMS: Objection. Calls for a legal

24 conclusion and vague.

01:31

25

But you can answer.

1 THE DEPONENT: T

2

3 BY MR. CHRISTENSON:

4 Q So t

01:31 5 F

6

7 Is that right?

8 MR. WEEMS: Objection. Mischaracterizes the

9 testimony.

01:31 10 THE DEPONENT: ' .

11 BY MR. CHRISTENSON:

12 Q

13 A

14 Q ?

01:32 15 MR. WEEMS: Objection. Calls for speculation.

16 THE DEPONENT: s

17 BY MR. CHRISTENSON:

18 Q (

19 MR. WEEMS: Asked and answered.

01:32 20 THE DEPONENT: Y

21

22 BY MR. CHRISTENSON:

23 Q

24

01:32 25 MR. WEEMS: Objection. Asked and answered.

1 Q Yes.

2 A I don't know.

3 Q For the year 2004 ?

4 R.

02:10 5 For 2004 ?

6

7 MR. WEEMS: Objection. Scope. ?

8

9 THE DEPONENT:

02:10 10 BY MR. CHRISTENSON:

11 Q Since January 1, 2000

12

13

14 MR. WEEMS: Objection. Times prior to the

02:10 15 issuance of the patent, prior to the filing of the

16 complaint are not relevant.

17 THE DEPONENT:

18 BY MR. CHRISTENSON:

19 Q In 2004

02:11 20

21

22 MR. WEEMS: Objection. Asked and answered.

23 Counsel, you're beginning to be harassing the witness.

24 THE DEPONENT:

02:11 25 MR. WEEMS: Mr. Baum will have to cover for me

1
2 Q Do you know when Tatung Company first
3
4 A
03:22 5 Q Can you tell me what
6
7)?
8 A
9 Q Can you tell me how many
03:23 10
11 A
12 Q Can you tell me how many
13
14 A
03:23 15 Q Can you tell me whether
16
17
18 A
19 Q Has
03:24 20
21
22 A
23 Q Do you know whether
24
03:24 25

1 MR. BAUM: Asked and answered. You can answer
2 again, sir.
3 MR. WEEMS: And I just want to further note --
4 because Mr. Baum may not be aware of it, '
03:25 5 has specifically objected to the subpoenas issued to it.
6 Or actually, I guess, the Notice or document request,
7 something of that sort that was issued to it within the
8 last 24, 48 hours.

9 So based on I think we
03:25 10 have an obligation to instruct.

11 MR. BAUM: And we'll consider your questions as
12 you ask them and keep that objection in mind.

13 So can we have the last question read back,
14 please?

15 (The reporter read back the question
16 as follows:

17 "Q I ...

03:25 20

21 BY MR. CHRISTENSON:

22 Q Since January 1, 2000 !

03:26 25

1
2 BY MR. CHRISTENSON:
3 Q Based where?
4 A I'm not sure where they're based.
04:32 5 Q Is it
6
7 A I think that
8
9 Q Do you know whether
04:32 10
11 A
12 Q Is
13
14 A
04:33 15 Q Let's talk about the corporate structure of
16 Tatung America.
17 Who's the most senior officer at Tatung America?
18
19 A
04:34 20 Q
21 A
22
23 Q
24 A
04:34 25 Q

1 A
2 Q ?
3 A T....
4 Q
04:34 5
6 A J.
7 Q
8 A
9 Q
04:35 10 A
11 Q
12 A
13 Q I
14
04:35 15 A
16
17 Q
18 A
19
04:35 20 Q
21 A
22 Q
23
24
04:36 25 A

1 Q
2 A
3 Q y?
4 A
04:36 5
6 Q
7 A
8 Q
9 A
04:37 10 Q
11 A
12 Q
13 A
14
04:37 15 Q
16 A
17 MR. BAUM: Counsel, when it is a good time
18 consistent with your interrogation plan, I'd like to take
19 a short break.
04:37 20 MR. CHRISTENSON: Sure.
21 Q
22 A
23 Q
24
04:38 25 A

1 STATE OF CALIFORNIA)
) SS.
2 COUNTY OF LOS ANGELES)

3 I, Lori Anastasiou, Certified Shorthand Reporter
4 No. 4345 for the State of California, do hereby certify:

5 That prior to being examined, the witness named
6 in the foregoing deposition was duly sworn to testify the
7 truth, the whole truth and nothing but the truth.

8 That said deposition was taken down by me in
9 shorthand at the time and place therein named and
10 thereafter reduced by me to typewritten form and that the
11 same is a true, correct and complete transcript of said
12 proceedings.

13 Before completion of the deposition, review of
14 the transcript (~~X~~) was () was not requested. If
15 requested, any changes made by the Deponent (and provided
16 to the reporter) during the period allowed are appended
17 hereto.

18 I further certify that I am not interested in the
19 outcome of the action.

20 Witness my hand this 15th day of February,
21 2005.

22
23 Lori Anastasiou
 Lori Anastasiou
24 CSR No. 4345
25

215

CERTIFICATE OF SERVICE

I, Jeffrey S. Goddess, hereby certify that on the 12th day of September, 2005, I electronically filed the REDACTED CONFIDENTIAL DECLARATION OF ROBERT C. WEEMS with the Clerk of the Court using CM/ECF which will send notification of such filing to the registered participant(s).


I further certify that the foregoing document was also served on the individuals named below in the manner indicated:

(VIA E-MAIL) Richard D. Kirk, Esquire
The Bayard Firm
222 Delaware Avenue #900
P. O. Box 25130
Wilmington, DE 19899
Attorneys for Plaintiff L.G. Philips LCD Co., Ltd.

(VIA E-MAIL) Richard L. Horwitz, Esquire
Potter Anderson & Corroon, LLP
1313 N. Market Street
Hercules Plaza, 6th Floor
P. O. Box 951
Wilmington, DE 19899

(VIA E-MAIL) Cass W. Christenson, Esquire
Daniel Jarcho, Esquire
McKenna Long & Aldridge LLP
1900 K Street, NW
Washington, DC 20006

(VIA E-MAIL) Tracy Roman, Esquire
Bingham McCutchen
355 S. Grand Ave., 44th Floor
Los Angeles, CA 90071


JEFFREY S. GODDESS (No. 630)
Rosenthal, Monhait, Gross & Goddess, P.A.
(302) 656-4433
jgoddess@rmgglaw.com